Slr2869

By: Senator Miller

Introduced and read first time: February 4, 2005

Assigned to: Budget and Taxation

A BILL ENTITLED

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1	AN ACT concerning
2	State Retirement and Pension System - Military Service
3 4 5 6 7	FOR the purpose of providing that certain members of the State Retirement and Pension System may receive service credit for military service only after accruing a certain number of years of creditable service; and generally relating to members of the State Retirement and Pension System receiving service credit for military service.
8 9 10 11	Annotated Code of Maryland
13 14	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
15	Article - State Personnel and Pensions

Article - State Personnel and Pensions

16 38-104.

- 17 (a) Except as provided in subsection (b) of this section, a member of a State 18 system, who has not met the conditions set forth in § 38-103(a)(2) through (4) of this
- 19 subtitle, is entitled to receive service credit for military service only on the attainment
- 20 of [10] 8 years of creditable service.
- 21 (b) (1) A member of a State system may not receive credit for that military
- 22 service if the member receives credit for military service from another retirement
- 23 system for which retirement benefits have been or will be received by the member.
- 24 (2) Paragraph (1) of this subsection does not apply to:
- 25 (i) credit for military service provided under:
- 26 1. the Social Security Act;

1 2. the National Railroad Retirement Act; or 2 3. Title 3 or Title 10, Chapter 1223, §§ 12731 through 12737 3 of the United States Code; or 4 (ii) disability payments from a pension or retirement system. 5 (3) (i) Military service credit under this section may not exceed 5 6 years. 7 Subject to subparagraph (i) of this paragraph, a member of the (ii) 8 Maryland National Guard who has not been activated under Title 10 of the United 9 States Code, shall receive service credit at the rate of 4 months for each full year of 10 service with the Maryland National Guard, not to exceed a total of 36 months.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

UNOFFICIAL COPY OF SENATE BILL 757

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12 July 1, 2005.